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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 EDGAR LUNA-GARCIA,

12 Defendant.

Case No. CR20-92 JCC

DETENTION ORDER

13
14 Offenses charged:

15 Count 1: Conspiracy to Distribute Controlled Substances, 21 U.S.C. §§ 841(a)(1),
16 841(b)(1)(A), 846

17 Count 2: Possession with Intent to Distribute Methamphetamine, 21 U.S.C. §§
18 841(a)(1), 841(b)(1)(A), 18 U.S.C. § 2

19 Date of Detention Hearing: On April 28, 2021, the Court held a hearing via a Zoom
20 videoconference, with the consent of Mr. Luna-Garcia, due to the exigent circumstances as
21 outlined in General Order 6-21

22 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
23 based upon the reasons for detention hereafter set forth, finds:

1 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

2 1. There is a rebuttable presumption of detention pursuant to 18 U.S.C. § 3142(e).

3 2. Mr. Luna-Garcia poses a risk of nonappearance due to a history of failures to
4 appear, lack of a verifiable release plan, unverified information about his
5 background and ties to this district, ties to Mexico, and possession of a Mexican
6 passport. Mr. Luna-Garcia poses a risk of danger due to his criminal history and the
7 nature of the charged offenses. Based on these findings, and for the reasons stated
8 on the record, there does not appear to be any condition or combination of
9 conditions that will reasonably assure Mr. Luna-Garcia's appearance at future court
10 hearings while addressing the danger to other persons or the community.

11 3. Taken as a whole, the record does not effectively rebut the presumption that no
12 condition or combination of conditions will reasonably assure the appearance of
13 Mr. Luna-Garcia as required and the safety of the community.

14 IT IS THEREFORE ORDERED:

15 (1) Mr. Luna-Garcia shall be detained pending trial, and committed to the custody of
16 the Attorney General for confinement in a correction facility separate, to the
17 extent practicable, from persons awaiting or serving sentences or being held in
18 custody pending appeal;

19 (2) Mr. Luna-Garcia shall be afforded reasonable opportunity for private consultation
20 with counsel;

21 (3) On order of a court of the United States or on request of an attorney for the
22 government, the person in charge of the corrections facility in which Mr. Luna-
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1 Garcia is confined shall deliver Mr. Luna-Garcia to a United States Marshal for
2 the purpose of an appearance in connection with a court proceeding; and

- 3 (4) The Clerk shall direct copies of this Order to counsel for the United States, to
4 counsel for Mr. Luna-Garcia, to the United States Marshal, and to the United
5 States Pretrial Services Officer.

6 Dated this 28th day of April, 2021.

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9 MICHELLE L. PETERSON
10 United States Magistrate Judge
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